

UNITED STATES DISTRICT COURT

for the

District of

Oregon

Portland Division

22nd
FILED MAR 22 08:55 USDC-ORP

Case No. 3:21-cv-00966- AC
*Amended Complaint"

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☐ No
%]

Michael Riad Kaady

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-
Portland Police Bureau
officer Robel Shiteraw
Officer Sabrina Bobbe
Nicole Jergovic Harris - BA

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Michael Riad Kaady
Street Address	3223 NE 140th AVE
City and County	Portland, Multnomah
State and Zip Code	OR 97230

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title *(if known)*. Attach additional pages if needed.

Defendant No. 1

Name Portland Police Bureau
Job or Title *(if known)* _____
Street Address 1111 SW 2nd ave
City and County Portland, Multnomah
State and Zip Code OR ~~97230~~^{ME} 97204
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 2

Name Robert Shierow
Job or Title *(if known)* officer at Portland police dept.
Street Address 449 Emerson St.
City and County Portland, Multnomah
State and Zip Code Oregon, ~~97220~~^{ME} 97215
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 3

Name Nicole Jergovic
Job or Title *(if known)* district attorney
Street Address 1200 SW 1st Ave Suite # 5200
City and County Police, Multnomah
State and Zip Code Oregon, ~~97230~~^{ME} 97204
Telephone Number 503. 990. 3102
E-mail Address *(if known)* _____

Defendant No. 4

Name Sabrina Dobbs
Job or Title *(if known)* officer Portland Police Dept.
Street Address 449 Emerson St.

City and County

Portland, Multnomah

State and Zip Code

Oregon, 97215

Telephone Number

E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

4th, 5th, 6th and 14th amendments

due process - wrongful arrest - wrongful imprisonment
malicious prosecution

Presumption of innocence, Police misconduct

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Michael Keady, is a citizen of the
State of (name) Oregon

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____

(If more than one plaintiff is named in the complaint, attach an additional page providing the

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Robel Shitteraw, is a citizen of
the State of (name) Oregon. Or is a citizen of
(foreign nation) _____

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under
the laws of the State of (name) _____, and has its
principal place of business in the State of (name) _____
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy \$10 million dollars

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

I am still feeling the effects today, by the actions of the defendants, I have lost the status, position and future position within my family's business. A direct result of my arrest when I was incarcerated my uncle Ibrahim Kady became ill, the acting owner, his son was led to believe that I had committed this crime and took away my position as his business partner because he thought I was involved in criminal behavior. To this day my character, trust & integrity is questioned by him and other family & friends because officer Shitteraw made phone calls ~~to~~ to multiple people and convinced them I was guilty and tried to get them to say something to connect me to a separate

~~Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.~~

burglary committed with the same victim a week prior at a gym. In addition to my character being ruined, and the financial ruin this caused I deal with pain and suffering & extreme anxiety & high stress levels being held in max security on the gang unit, though I have no gang affiliation living with the fear of the unknown, being an innocent

Person in the most violent and unpredictable unit in the facility.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under
the laws of the State of (name) _____, and has its
principal place of business in the State of (name) _____
Or is incorporated under the laws of (foreign nation) _____
and has its principal place of business in (name) _____

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed. I WAS ARRESTED 6/30/19 BY PORTLAND POLICE OFFICERS ROGER SHIFFMAN AND SARGENT DOBOS FOR A BURGLARY THAT OCCURRED ON 6/26/19 between 6 a.m. + 11:19 am OFFICER ROGER SHIFFMAN Responded to the scene and collected no evidence AND left the scene at 13:49. LATER THAT DAY THE VICTIM OF THE BURGLARY CALLED SHIFFMAN AND TOLD HIM THAT HE HAD FOUND SOME PAPERS IN THE MIDDLE OF THE STREET. (SEE ATTACHED)

See attached papers

CONTINUED STATEMENT OF CLAYTON

21 MAR '22 15:18 REC'D USJC-ORP

AROUND 4 PM MR NELSON FOUND SOME PAPERS IN THE MIDDLE OF THE ROAD AND CALLED OFFICE SUPERVISOR TO INFORM HIM OF HIS DISCOVERY. MR NELSON THE HOME OWNER HAD FOUND SOME COURT PAPERS AND A DOCTOR'S NOTE. THESE PAPERS HAD MY NAME ON THEM. THIS 'EVIDENCE' COLLECTED 5 TO 10 HOURS AFTER THE CRIME WAS COMMITTED IS THE ONLY THING CONNECTING ME TO THE BURGLARY.

6/26/19 I HAD A DOCTOR'S APPOINTMENT AT 10:30 AM AND JUDGE BLOCK REQUIRED ME TO PRESENT A DOCTOR'S NOTE TO PROVE MY ATTENDANCE. DR. ~~SWAN~~ DR. SCHWARTZ WROTE THE NOTE AT 10:45 AM 6/26/19. AFTER THE DOCTOR'S APPOINTMENT I WENT STRAIGHT TO VOLUNTEERS OF AMERICA FOR 2 GROUPS I HAD TO ATTEND THAT DAY. I ARRIVED AT 11 AM AND WAS EARLY.

AT 11:15 AM I SAW MY COUNSELOR THE DOCTOR'S NOTE AND SHE MADE A PHOTOCOPY AND EMMAILED THE JUDGE A COPY AS WELL. BY THIS TIME IT IS ABOUT 11:30 P.M.

I ATTEND BOTH GROUPS FROM NOON TO 2:15 THEN GO DOWNTOWN AND RETURN VIA MART. AT GATEWAY I WALK TO A FRIEND'S HOUSE ON 108TH & ME 1ST KNOTT ST WHERE I BORROW HIS BIKE. I RIDE HOME ON KNOTT ST FROM 108TH & 122ND & KNOTT. ITS ABOUT 4:30 PM. THIS IS WHEN I LOSE MY PAPERS AND THEY FALL INTO THE MIDDLE OF THE STREET.

THERE IS NO POSSIBLE WAY THAT MY DOCTOR'S NOTE WOULD BE ON THAT STREET ANY TIME BEFORE RIDING THE BIKE HOME. THE DOCTOR'S NOTE WAS AT THE V.O.A. UNTIL 2:15 P.M. HOURS PRIOR TO THE TIME FRAME OF THE BURGLARY EXPLORED. THIS PROVES I WAS NOT INVOLVED IN THE CRIME.

ON 6/30/19 WHEN SUPERVISOR AND BUBBS ASKED ME, HE WAS OBLIVIOUS IN HIS POLICE REPORT SUPERVISOR DOES NOT MENTION THAT HE TELLS ME THE LATER THAT WAS SEEN AND PICTURES OF THE BOYS GRAND CHILDREN. SO WHEN I ASK HIM "WHY WOULD I ROB SOME OLD MAN" HE ASKS HOW I KNOW HIS AGE FROM INMATE. AND I TELL HIM BECAUSE YOU JUST SAID HE HAD GRANDCHILDREN. WHEN SUPERVISOR TRIES AGAIN TO IMPLY I KNOW DETAILS ONLY PRIVY TO THE BURGLER, WHEN I SAID THAT DAY I WOULD BE, I KNEW THE ONLY DAY I COULD HAVE LOST MY PAPERS BECAUSE I DID NOT LEAVE HOME UNTIL MY COURT DATE WHICH WAS FRIEDAY 2 DAYS AFTER LOSING THE NOTE I WAS TO SHOW THE JUDGE, SO I WOULD BE VERY AWARE OF WHAT DAY I LOST A NOTE I WAS SUPPOSED TO PROVIDE THE JUDGE.

SHIFFERAW FABRICATED THE POLICE REPORT, OMITTING PARTS OF OUR CONVERSATION MAINLY PARTS WHERE HE IS SPEAKING OR TWISTING MY WORDS AND TAKING THEM OUT OF CONTEXT TO MAKE IT LOOK LIKE I KNEW TOO MUCH FOR SOMEONE WHO IS INNOCENT.

SHIFFERAW WAS GIVEN PERMISSION TO SEARCH MY ROOM WHICH HE JUST TOOK OUT MY DRESSER DRAWERS AND TURNED THEM UPSIDE DOWN. HE MADE FALSE CLAIMS ABOUT WHAT WAS IN MY ROOM ALSO TO PROTECT MY IMAGE AND CREDIBILITY. HE HAD TO LIE AND CREATE AND OR CRAFT DIALOGUE TO MAKE ME APPEAR TO BE GUILTY.

ALL OF HIS LIES AND FABRICATIONS ARE PROVEN TO BE SUCH BASED ON THE FACT THAT I WAS INDEED INNOCENT AND THERE'S NO WAY I COULD HAVE KNOWN THINGS RECALLED I DID NOT SAY THE THINGS HE SAID I DID BECAUSE HOW WOULD I KNOW THESE DETAILS WITHOUT ANY INVOLVEMENT? I WOULD NOT BE AND WAS DISHONEST.

SHIFFERAW WOULD NOT TELL ME THE TIME OF THE INCIDENT. I TOLD HIM I HAD AN APPOINTMENT PACKED DAY ON THE 6/26/19 ASK ME WHERE I WAS AT WHAT TIME THE BURGLARY OCCURRED AND HE WOULD NOT.

DISTRICT ATTORNEY MICOLE JERGOVIC LARIS USED THIS FABRICATED POLICE REPORT TO GET AN INVOLVEMENT AND CHARGE ME WITH BURGLARY.

WITHIN THE FIRST MONTH OF BEING IN CUSTODY MR. JERGOVIC LARIS WAS MADE POWER THAT WAS ABLE TO PROVE MY INNOCENCE BY MY COURT APPOINTED ATTORNEY. WHO TOLD THE DISTRICT ATTORNEY THAT A MISTAKE HAD BEEN MADE AN MR. KANDY REALLY HAD NO INVOLVEMENT.

THE ATTORNEY TOLD MICOLE JERGOVIC LARIS THE DISTRICT ATTORNEY THAT I HAD AN ALIBI WITH REVERSE SEARCHES AND COULD PROVE MY INNOCENCE. A MEETING WAS SCHEDULED AND I WAS TRANSFERRED TO THE COURT HOUSE TO MEET WITH THE D.A.,

AFTER WAITING DAYS TO SEE HER, MY ATTORNEY CAME DOWN TO TELL ME THAT THE D.A. CANCELLED OUR MEETING BECAUSE UNLESS I WAS THERE TO ADMIT GUILT OR PROVIDE INFORMATION THEN I CAN SHOW HER WHAT I HAVE PUT OUT. SHE ALSO INITIALLY ASKED THE ATTORNEY "KANDY IS STILL DENYING HIS INVOLVEMENT" IMPLYING I'M GUILTY.

Ms. JERROVIC DARRIS WAS CONTACTED BY MY FIANCÉ
WHO CALLED HER TO ASK ~~THE~~ HER TO PLEASE LOOK AT THE
EVIDENCE AND YOU'LL SEE Michael couldn't HAVE COMMITTED THIS
CRIME, THE D.A. ASSURED HER I WAS GUILTY AND THAT SHE HAD LOTS
OF EVIDENCE, MY FIANCÉ ASKED WHAT EVIDENCE A NOTE FOUND DURING
APPROX THE CRIME?

THE D.A. PROMISED MY FIANCÉ THAT I WOULD NOT BE GETTING
PROSECUTION THIS TIME AND THAT I WOULD BE GOING TO PRISON FOR A
VERY LONG TIME.

AFTER ALL THIS MY FAMILY Hired AN ATTORNEY, HE ~~gotten~~
GATHERED SIGNED AFFIDAVITS FROM THE DOCTOR AND VOA STAFF
THAT PROVED I WAS TELLING THE TRUTH AND PROVED MY INNOCENCE.

AFTER SEEING THE PROOF IT TOOK THE D.A. 3 WEEKS TO RELEASE ME.
AND IT WAS CHRISTMAS AND NEW YEARS INSIDE THOSE 3 WEEKS.
AND AFTER MY RELEASE WAS FINALLY APPROVED BY HER SUPERVISOR, AND SHE
DECIDED TO RETURN EARLY, IT TOOK ANOTHER 7 DAYS FOR MY RELEASE.

I WAS RELEASED ON A Factual CHALLENGE AND CHARGES WERE DROPPED.

2. continued

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The Defendant(s)

A. If the defendant is an individual:
the defendant: Sabrina Dobbs
the state: Oregon

The Defendant(s)

A2 If the defendant is an individual:
the defendant: Nicole Jergovic
the state: Oregon

B If the defendant is a corporation:
the defendant: Portland Police Department,
is incorporated under the laws of the state of Oregon,
and has its principal place of business in the
state of Oregon.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. I want the court to hold those who were responsible and had their role that allowed/caused me to be arrested and held in custody for 7 months responsible for their actions and lack of integrity and honor when they violated my constitutional rights instead of protect them like they are supposed to do. I want them to compensate as best as they can, although the time cannot be replaced or the damage reverse that my relationship suffered, I should be compensated for the trauma endured, time ~~wasted~~ and damage that is caused when your right of innocence until proven guilty and others are violated this way.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: March 18, 2022

Signature of Plaintiff

Printed Name of Plaintiff



Michael Riad Kaady

B. For Attorneys

Date of signing: _____

Signature of Attorney _____